

**BAKER & M^CKENZIE**

Attorneys at Law

805 Third Avenue
New York, New York 10022
Telephone: (212) 751-5700
Facsimile: (212) 759-9133

FACSIMILE TRANSMISSION**DATE: OCTOBER 7, 2003****PLEASE DELIVER AS SOON AS POSSIBLE TO:****TO**

Mail Stop Issue Fee

COMPANY

USPTO

FAX NO.

703-746-4000

PHONE NO.**FROM**

FRANK M. GASPARO

PHONE**TOTAL NUMBER OF PAGES (INCLUDING THIS COVER PAGE): 6**

PRIVACY AND CONFIDENTIALITY NOTICE

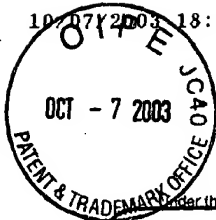
The information contained in this facsimile is intended for the named recipients only. It may contain privileged and confidential information and if you are not an intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this facsimile in error, please notify us immediately by a collect telephone call to (212) 751-5700 and return the original to the sender by mail. We will reimburse you for postage. Thank you.

MESSAGE

Re: Application No. 09/885,611

Please see the attached.

**IF YOU HAD ANY TROUBLE RECEIVING THIS TRANSMISSION,
PLEASE CALL 212-751-5700 EXT: IMMEDIATELY.**



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/885,611	
	Filing Date	June 20, 2001	
	First Named Inventor	Jason S. Dell	
	Art Unit	2827	
	Examiner Name	Mark Stephen Tremblay	
Total Number of Pages in This Submission	5	Attorney Docket Number	56145473-8

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Comments on Statement of Reasons for Allowance; issue fee transmittal in dup.
Remarks This correspondence is being facsimile transmitted to the USPTO at (703) 746-4000 on 10/7/2003.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Frank M. Gasparo Baker & McKenzie
Signature	
Date	October 7, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Frank M. Gasparo
Signature	
Date	October 7, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/885,611 Confirmation No.: 5343
Applicant : Jason S. Dell
Filed : June 20, 2001
TC/A.U. : 2827
Examiner : Mark Stephen Tremblay
Title: **SYSTEM AND METHOD FOR IDENTIFYING APPLICATIONS
LOADED IN A SMART CARD**

Docket No. : 56145473-8
Customer No. : 26453

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

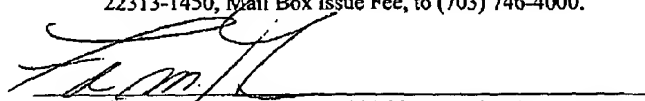
Sir:

It is submitted that the present application is allowable for other reasons than the ones stated in the Examiner's Reason for Allowance dated July 7, 2003. That is, the invention in the present application is novel and un-obvious not only for the reasons stated by the Examiner.

Further, Applicant would like to note that the Examiner incorrectly listed the allowable claims as claims 1-36. Applicant cancelled claims 2-6, 14 and 19 without prejudice and disclaimer in a October 3, 2002 response to an Office Action mailed July 3, 2002. Consequently, Applicant requests that the Notice of Allowance be corrected to list claims 1, 7-13, 15-18 and 20-36 as allowable and that the letters patent be printed with the corrected allowed claims.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Commissioner for Patents, Alexandria, VA 22313-1450, Mail Box Issue Fee, to (703) 746-4000.

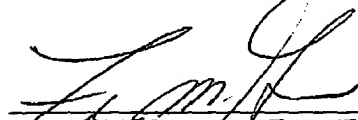

Frank M. Gasparo, Reg. No. 44,700 Date: October 7, 2003

[NYC] 409952.1

No fee is deemed necessary with the filing of these documents. If a fee is deemed necessary, we authorize the Commissioner of Patents and Trademarks to charge Deposit Account No.: 02-0393 of Baker and McKenzie.

Dated: October 7, 2003

Respectfully submitted,



Frank M. Gasparo, Esq. (Reg. No. 44,700)
Baker & McKenzie
805 Third Avenue
New York, New York 10022
Telephone (212) 751-5700
Facsimile (212) 759-9133

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Commissioner for Patents, Alexandria, VA
22313-1450, Mail Box Issue Fee, to (703) 746-4000.

Frank M. Gasparo, Reg. No. 44,700 Date: October 7, 2003

[NYC] 409952.1